UTAH STATE HOSPITAL LEGAL REQUIREMENTS FOR ADMISSION CIVIL CODE

Adm Type	UCA/Form#	Description	Limitations	Comments
Emergency Admission with Certification	62A-15-629(1) Form #34-1 (2 pages) blue form	"An adult may be temporarily, involuntarily committed to a local mental health authority upon written application of a responsible personand a certification by a licensed physician stating that he or she has examined the individual within a 3 day period immediately preceding that certification and is of the opinion that the individual is mentally ill"	"A person committed under this section may be held for a maximum period of 24 hours excluding Saturdays, Sundays, and legal holidays. At the end of that period, the person shall be released unless application for involuntary commitment has been commenced"	At the end of the 24 hour period the patient either: 1) signs in voluntarily 2) is filed on for involuntary commitment 3) patient is released
Emergency Admission without Certification	62A-15-629(2) Form #34-2 (2 sided) pink form	"If a duly authorized peace officer observes a person involved in conduct that gives the peace office probable cause to believe that the person is mentally illand because of that apparent mental illness and conduct there is likelihood of serious harm to that person or others pending proceedings for examination and certificationthe officer may take that person into protective custody. The peace officer shall transport the person to the designated facility of the appropriate mental health facility"	"A person committed under this section may be held for a maximum period of 24 hours excluding Saturdays, Sundays, and legal holidays. At the end of that period, the person shall be released unless application for involuntary commitment has been commenced"	At the end of the 24 hour period the patient either: 1) signs in voluntarily 2) is filed on for involuntary commitment 3) patient is released
Voluntary Admission	62A-15-625	"A local mental health authority or its designee may admit to that authority, for observation, diagnosis, care, and treatment, any individual who, being 18 years of age or older applies for voluntary admission."	Person must be 18 years or older Involuntary medication may only occur in an exigent circumstance.	
Voluntary -Request for Release	62A-15-627 Request for Release	"A voluntary patient who requests release, or whose release is requested in writing by his legal guardian, parent, spouse, or adult next of kin, shall be immediately released except that: 1) if the	"Written notice of that postponement with the reasons shall be given to the patient without undue delay."	

	Form #31-1	patient was voluntarily admitted on his own application and the request for release is made by a person other than the patient, release may be conditioned upon the agreement of the patient; and 2) if a local mental health authority or its designee is of the opinion that release of the patient would be unsaferelease of the patient may be postponed up to 48 hours excluding weekends and holidays, provided that the local mental health authority shall cause to be instituted involuntary commitment proceedings"	"No judicial proceedings may be commenced with respect to a voluntary patient unless he has requested release."	
Voluntary -Denial of Request for Release	62A-15-627(2) Notice of Denial of Request for Release Form #31-2	"if a local mental health authority or its designee is of the opinion that release of the patient would be unsaferelease of the patient may be postponed up to 48 hours excluding weekends and holidays, provided that the local mental health authority shall cause to be instituted involuntary commitment proceedings in the district court within the specified time period, unless cause no longer exists for instituting those proceedings."	"Written notice of that postponement with the reasons shall be given to the patient without undue delay." "No judicial proceedings may be commenced with respect to a voluntary patient unless he has requested release."	
Application for Order of Involuntary Commitment	62A-15-631 Form #36-1 (2 pages) Form #36-8 Report of Local Mental Health Authority of Examination Upon Admission	"Proceedings for involuntary commitment of an individual who is 18 years of age or older may be commenced by filing a written application with the district court of the county in which the proposed patient resides or is found, by a responsible person who has reason to know of the condition of the proposed patientThat application shall be accompanied by: 9a) a certification of a licensed physician or designated examiner or (b) a written statement by the applicant that the individual has been requested to but has refused to submit to and examination of mental conditionThe application shall be sworn to under oath"	When filed by USH personnel: The social worker completes the following sections: 1) page 1—application (signature must be notarized) 2) page 2–Names and addresses of those to be notified The physician completes the following section(s): 1) Certificate 2) page 3–Report of Local Mental Health Authority of Examination	These completed forms should be forwarded to USH Legal Services to be filed with District Court
Civil Commitment	62A-15-631(10)	"The Court shall order commitment of an individualif the court finds by clear and convincing evidence: 1) the proposed patient has a mental illness; 2) because of the patient's mental illness he poses	"The order of commitment shall designate the period for which the individual shall be treated. When the individual is not under and order of commitment at the time of hearing, that period may not	

		a substantial danger of physical injury to others or himself, which may include the inability to provide the basic necessities of life such as food, clothing, and shelter, if allowed to remain at liberty; 3) the patient lacks the ability to engage in a rational decision-making process regarding the acceptance of mental treatment as demonstrated by evidence of inability to weigh the possible risks of accepting or rejecting treatment; 4) there is no appropriate less-restrictive alternative to a court order of commitment; and 5) the local mental health authority can provide the individual with treatment that is adequate and appropriate to his conditions and needs."	exceed six months without the benefit of a review hearing." "Any person committed as a result of an original hearing or a person's legally designated representative who is aggrieved by the findings, conclusions, and order of the court entered in the original hearing has the right to a new hearing upon a petition filed with the court within 30 days of the entry of the court order."	
More Restrictive Environment	62A-15-637(2)(a)	"A local mental health authority is authorized to issue an order for immediate placement of a patient not previously released from an order of commitment into a more restrictive environment if the local mental health authority has reason to believe that the less restrictive environment in which the patient has been placed is aggravating the patient's mental illness"	"If the patient has been in the less restrictive environment for more than 30 days and is aggrieved by the change to a more restrictive environment, the patient or his representative may request a hearing within 30 days of the change"	

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